## IN THE UNITED STATES DISTRICT COURT

## FOR THE EASTERN DISTRICT OF TEXAS

## TYLER DIVISION

| STEVIE ANDRÉ ROBERSON | <b>§</b> | CIVIL ACTION NO. 6:10cv485 |
|-----------------------|----------|----------------------------|
| v.                    | §        |                            |
| RISSIE OWENS, ET AL.  | <b>§</b> |                            |

## ORDER ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that the Complaint be dismissed with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(i)&(ii), but without prejudice as to Plaintiff's ability to seek habeas relief, if appropriate. No written objections have been filed. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

**ORDERED** that the above-entitled lawsuit is hereby **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(i)&(ii), but without prejudice as to Plaintiff's ability to seek habeas relief, if appropriate.

Any motion not previously ruled on is **DENIED**.

SIGNED this 14th day of December, 2010.

Michael H. Schneider
MICHAEL H. SCHNEIDER

UNITED STATES DISTRICT JUDGE